(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

MISC. CIVIL APPLICATION NO. 156 OF 2005

IN WRIT PETITION NO. 519 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Shri S.D. Lotlikar, Sr. Advocate with Shri S.Y. Thaly, Advocate for the applicants/ petitioners.

Shri. S.R. Rivonkar, Government Advocate for respondents No.1 and 2.

Shri M.S. Usgaonkar, Sr. Advocate with Shri S.V. Kamat, Advocate for respondents No.3 and 4.

CORAM : A.P. LAVANDE &
N.A. BRITTO, JJ.

DATE : 9th March, 2005.

P.C.

Heard Shri Lotlikar, the learned Senior Counsel on behalf of the petitioner, Shri Rivonkar, the learned Govt. Advocate on behalf of respondents No.1 and 2 and Shri Usgaonkar, learned Senior Counsel on behalf of respondents No.3 and 4.

2. By order of this Court dated 15.12.2004, the respondents-Sounsthan were directed to decide the applications by 31st January, 2005 and display the list of admitted Mahajans or those whose applications have been rejected, on the notice board. Since then, we are informed that 429 representations were received by the Sousthan and which were taken up for consideration at its meeting held on 31.1.2005 and 713 applications were rejected and accordingly, notice dated 29.12.2004 was displayed. Since then 385 of the applicants have preferred appeals to the General Body of the said Sousthan.

3. Shri Usgaonkar, the learned Senior Counsel on behalf of the Sousthan has submitted that they have no objection to consider the said

appeals of the said 385 applicants on a common xerox copy of the order. However, Shri Lotlikar, the learned Senior Counsel of the applicants submits that time be extended to other who have not filed appeals, so that they can prefer appeals against the common order of the said Sousthan. This arrangement is not agreeable to Shri Usgaonkar, the learned Senior Counsel on behalf of the said Sousthan. We too are not inclined to endorse the above submission of Shri Lotlikar, the learned Senior Counsel. Shri Lotlikar also submits that at the time of filing appeals against the proposed orders of the Managing Committee, the applicants and others be given liberty to file a common appeal to the Administrative Tribunal. We are also not inclined to consider the said request made on behalf of the petitioners. The petitioners and/or

other applicants who have filed appeals would be at liberty to file appeals before the Administrative Tribunal, in accordance with.

4. The Misc. Civil Application is granted on the above terms and is disposed of accordingly.

A.P. LAVANDE, J.

N.A. BRITTO, J.

ssm.